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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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7590 03/15/2005

Intellectual Property Dept.
SPENCER FANE BRITT & BROWNE LLP
1000 Walnut Street, Suite 1400
Kansas City, MO 64106-2140

EXAMINER

OMGBA, ESSAMA

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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3726

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,489

Applicant(s)

INCH ET AL. ED

Examiner

Essama Omgba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-38 and 41-43 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 29-38 and 41-43 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it is not related to the invention being claimed. Anew abstract directed to the claimed invention is required. Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities: on page 6, lines 11 and 15 and page 12, line 8, "seem" should read --seam--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 33 and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 33 recites the limitation "said inwardly extending jog" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 29, 32, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Miyabayashi et al. (US Patent 3,909,919).

With regards to claims 29, 32 and 43, Applicant, at pages 1-6 of the specification to be known as AAPA, discloses a welded field joint for connection of a first sink portion to a second sink portion, a method of connecting a first sink portion to a second sink portion to form a single unit, and a method of installing a pot and pan washing machine in a facility wherein different parts of a washing including having sink portions with generally flat sides are assembled onsite by joining two sections of the machine into a single unit by welding or bolting the sections together (page 6). Although AAPA does not disclose the sections being assembled by forming a lip in an edge of a flat side of one of the second sink portion and positioning the lip over an edge of the flat side of the first sink portion such that the flat side of the first sink portion is held in tight engagement with the flat side of the second sink portion, however it is known to connect edge portions of two flat sheets that have previously been connected by welding or mechanical fasteners by a lock joint comprising a folded edge portion of one member over an edge portion of the other member, see column 1, lines 4-16 and figures 1 and 2A. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have joined the sink portions of AAPA in the manner taught by Miyabayashi et al., in order to avoid distortion associated with welding.

For claim 42, see jog 20a in figure 2A.

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7. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA/Miyabayashi et al. as applied to claim 32 above, and further in view of Asai et al. (US Patent 6,528,176).

AAPA /Miyabayashi et al. discloses a method of connecting a first sink portion to a second sink portion as shown above including a jog formed on the flat side of the first sink portion. Although AAPA does not disclose filling the lip with a sealant to eliminate any gap created by the flat sides of the sink portions and the jog, however Asai et al. teaches filling such gap with a sealant, see column 4, lines 53-61. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have filled the gap of the jog of AAPA/Miyabayashi et al. with a sealant, in light of the teachings of Asai et al., in order to increased the adhesion strength between both sink portions. Applicant should note that it is within the general knowledge of one of ordinary skill in the art to provide an appropriate sealant.

8. Claims 30, 31 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA/Miyabayashi et al. as applied to claim 29 above, and further in view of Takizawa et al. (US Patent 3,909,918).

With regards to claims 30 and 41, AAPA/Miyabayashi et al. discloses a non-welded joint for connection of a first sink portion to a second sink portion to form a single unit as shown above including a jog formed on the flat side of the first sink portion. Although AAPA/Miyabayashi et al. does not disclose the edge of the first sink portion comprising a hemmed edge, however Takizawa et al. teaches such hemmed edge in a non-welded joint connection, see column 3, lines 26-41 and figure 3C.

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Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the edge of the first sink portion of AAPA/Miyabayashi et al. with a hemmed edge, in light of the teachings of Takizawa et al., in order to tightly grip the edge of the first sink portion between the edge of the second sink portion and firmly join the sink portions.

For claim 31, Applicant should note that locating the jog on the flat side of the second sink portion is an obvious matter of design choice wherein no stated problem is solved or unexpected results obtained in having the jog located on the flat side of the second sink portion versus the flat side of the first sink portion as taught by AAPA/Miyabayashi et al.

9. Claims 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA/Miyabayashi et al. as applied to claim 32 above, and further in view of Adell (US Patent 3,401,486).

AAPA /Miyabayashi et al. discloses a method of connecting a first sink portion to a second sink portion as shown above except for placing a decorative trim piece between the first and second sink portions. However Adell teaches such decorative trim piece on joined portions, see column 1, lines 12-16 and column 3, lines 41-45.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have placed a decorative trim piece between the first and second sink portions of AAPA/Miyabayashi et al., in light of the teachings of Adell, in order to ornament the edges of the sink portions. Applicant should note that it is within

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the general knowledge of one of ordinary skill in the art to appropriately adhere the trim piece to the sink portions.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F (10-7:30) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Omgba', with a stylized, cursive script.

Essama Omgba
Primary Examiner
Art Unit 3726

eo

March 10, 2005